

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

COMMONWEALTH EDISON COMPANY	:	
	:	
Petition for approval of delivery services tariffs and	:	
tariff revisions and of residential delivery services	:	No. 01-0423
implementation plan, and for approval of certain	:	
other amendments and additions to its rates, terms,	:	
and conditions.	:	

**COMMONWEALTH EDISON COMPANY’S
EMERGENCY MOTION TO CORRECT
MATHEMATICAL ERRORS IN THE
INTERIM ORDER AND APPENDIX A THERETO**

Commonwealth Edison Company (“ComEd”), by its counsel, pursuant to 83 Ill. Adm. Code § 200.190, submits this emergency motion requesting that the Illinois Commerce Commission (the “Commission”) issue on an expedited basis an Amended Order correcting mathematical errors in the Interim Order and its Appendix A of April 1, 2002.¹ This Motion does not seek to review or reconsider any substantive decision made in the Interim Order, but rather proposes necessary mathematical corrections so that the dollar values reported in the Interim Order and its Appendix A reflect accurately the Commission’s stated rulings. This is an emergency matter because the mathematical errors relate to ComEd’s compliance filing due on April 11, 2002. In support of its motion, ComEd states as follows:

The Text of the Interim Order

1. The Interim Order on pages 30 and 152 states that the approved jurisdictional revenue requirement is \$1,570,150,000. Assuming that the Interim Order’s rulings on all

¹ This motion is not intended to serve as a petition for rehearing or other filing challenging any of the Commission’s rulings or asking the Commission to reconsider them. It is without prejudice to ComEd’s rights to present such a petition or other filing and to pursue other relief before the Commission and in the courts.

individual issues that relate to determination of the jurisdictional revenue requirement are correct, the correct figure is \$1,526,976,000.² ComEd has attached hereto a Corrected Appendix A that shows the correct derivation of that figure from the rulings made in the Interim Order. That figure is the net result of correcting several mathematical errors, in both directions, in Appendix A, as shown in Corrected Appendix A and as discussed in Paragraphs 4-16 of this motion, below.

2. The Interim Order on page 152 states that the approved jurisdictional net rate base is \$3,590,583,000. Assuming that the Interim Order's rulings on all individual issues that relate to determination of the jurisdictional net rate base are correct, then the correct figure is \$3,579,874,000, as shown on Corrected Appendix A. This difference is due to a single mathematical error. The figure on page 152 of the Interim Order does not reflect the ruling on page 44 of the Interim Order disallowing \$11,038,000 (gross amount) of jurisdictional distribution plant reasonably expected to be (and in fact) placed in service in the second quarter of 2001, which disallowance has a net impact on jurisdictional net rate base of \$10,709,000, as shown on Corrected Appendix A, Schedule 4, Page 2, Column K. (That adjustment also is omitted from Appendix A, as discussed in Paragraphs 10 and 13, below.)

3. The Interim Order on page 79 approves Staff's proposed adjustment for jurisdictional distribution salaries and wages but does not state the amount of the adjustment. However, Appendix A does not correctly set forth the amount of the adjustment. As noted in Paragraph 8, below, Appendix A, Schedule 2, Page 4, Column DD, states an incorrect figure of

² The figure that typically is referred to as the jurisdictional revenue requirement is the Total Operating Revenues figure minus the Other Revenues (Miscellaneous Revenues) figure, i.e., the figure to be recovered through the rates being set. Thus, for example, in Appendix A, the figure that typically is referred to as the jurisdictional revenue requirement is the figure in Schedule 1, Column F, Line 1, not the figure in Schedule 1, Column F, Line 3.

\$14,183,000 (gross amount) for the amount of that adjustment instead of the actual figure of \$9,739,000 (gross amount) as shown on Corrected Appendix A, Schedule 2, Page 4, Column DD. The Reply Brief of the Staff [of the Commission] sets forth the actual figure of \$9,739,000 (gross amount) in its respective Appendix A, Schedule 2 (Revised) Page 4, Column DD; *accord* Staff Ex. 17.0 CR, Schedule 17.2, Page 4, Column FF. The Commission may wish to add the correct figure to the Interim Order on page 79, in addition to placing it in Appendix A.

The Appendix

4. Appendix A consists of five Schedules. Schedule 1, the overall schedule, is based on the data in Schedules 2-5. Schedule 2, the detailed operating expenses and revenues schedule, generally does not rely on the other Schedules, except as to interest synchronization, which is addressed in Schedule 5, which in turn relies on Schedule 3. (Schedule 2 also sets forth the depreciation and amortization expenses and associated financial impacts of the jurisdictional net rate base items found in Schedules 3 and 4.) Schedule 3, the summary rate base schedule, generally is based on the data in Schedule 4. Schedule 4, the detailed rate base schedule, does not rely on the other Schedules. Schedule 5, the interest synchronization schedule, again, generally is based on the data in Schedule 3. This motion discusses the five Schedules in the following sequence: 2, 4, 3, 5, 1.

Schedule 2

5. Appendix A, Schedule 2, Page 1, Column B, sets forth the figure for interest synchronization based on data in Schedule 5, which in turn relies in Schedule 3. Because of the mathematical errors in the Schedule 3, discussed below, Schedule 5 and, as a result, Schedule 2,

Page 1, Column B are incorrect. The correct figures for Schedule 2, Page 1, Column B, are set forth in Corrected Appendix A, Schedule 2, Page 1, Column B.

6. Appendix A, Schedule 2, Page 1, Column H, uses an incorrect figure for the State use tax expense adjustment. As the Interim Order on page 109 states, the correct figure, assuming the adjustment were valid, is \$506,000 (gross amount). Corrected Appendix A, Schedule 2, Page 1, Column H, shows the correct figure.

7. Appendix A, Schedule 2, Page 1, Column F, treats Staff's proposed uncollectibles expense adjustment as if the Interim Order approved that adjustment, and thus sets forth a disallowance of \$3,605,000 (gross amount). The Interim Order on page 105 rejects that adjustment. Corrected Appendix A, Schedule 2, Page 1, Column F, correctly reflects that ruling.

8. Appendix A, Schedule 2, Page 4, Column DD, as discussed in Paragraph 3, above, uses an incorrect figure of \$14,183,000 (gross amount) for the amount of the distribution salaries and wages adjustment when the correct figure, assuming the adjustment were valid, is \$9,739,000 (gross amount) as shown on Corrected Appendix A, Schedule 2, Page 4, Column DD.

9. Appendix A, Schedule 2, Page 2, Column O, fails to factor in the payroll tax impact of the distribution salaries and wages adjustment discussed in Paragraphs 3 and 8, above, and thus uses the incorrect figure of \$2,613,000 (gross amount). Assuming the distribution salaries and wages adjustment, as corrected in Paragraph 8 above (as well as the two other underlying adjustments) are valid, the payroll tax impact correct figure would be \$3,392,000 (gross amount) as shown on Corrected Appendix A, Schedule 2, Page 2, Column O.

10. Appendix A, Schedule 2, does not reflect the depreciation and amortization expense impact of the adjustment discussed in Paragraph 2, above, and Paragraph 13, below.

The correct impact, assuming the adjustment were valid, is \$277,000 (gross amount) as shown in Corrected Appendix A, Schedule 2, Page 5, Column JJ.

11. Appendix A, Schedule 2, does not reflect the allowance on page 108 of the Interim Order of ComEd's two adjustments relating to electricity distribution tax refund and accrual true-up. Those adjustments are reflected in Corrected Appendix A, Schedule 2, Page 4, Columns KK and LL, respectively.

12. Although they are not mathematical errors, ComEd notes that Appendix A, Schedule 2, Page 1, Column H, and Schedule 2, Page 2, Column P incorrectly identify two adjustments proposed by the Governmental and Consumers intervenors and approved by the Commission on pages 75 and 108-109 of the Interim Order as having been proposed by Staff. Staff also proposed adjustments on those two subjects but in different amounts.

Schedule 4

13. Appendix A, Schedule 4, like the jurisdictional net rate base figure on page 152 of the Interim Order discussed in Paragraphs 2, above, and like Schedule 2 as discussed in Paragraph 10, above, does not reflect the ruling on page 44 of the Interim Order disallowing \$11,038,000 (gross amount) of jurisdictional distribution plant reasonably expected to be (and in fact) placed in service in the second quarter of 2001 as shown on Corrected Appendix A, Schedule 4, Page 2, Column K.

Schedule 3

14. Appendix A, Schedule 3, in relevant part is based on the data in Schedule 4 and thus reflects the mathematical errors in Schedule 4. Corrected Appendix A, Schedule 3, sets forth the correct figures.

Schedule 5

15. Appendix A, Schedule 5, in relevant part is based on the data in Schedule 3 and thus reflects the mathematical errors in Schedule 3. Corrected Appendix A, Schedule 5, sets forth the correct figures.

Schedule 1

16. Finally, Appendix A, Schedule 1, is based on the data in Schedules 2-5 and thus reflects the mathematical errors in Schedules 2-5. Corrected Appendix A, Schedule 1, sets forth the correct figures.

Grounds For Expedited Relief

17. ComEd accordingly requests that the Interim Order and Appendix A thereto be corrected as stated in this motion and in Corrected Appendix A by means of the issuance of an Amended Order. The Commission has followed this practice in the past and, for example, issued an Amended Order to correct mathematical errors in its Order in Docket No. 99-0117.

18. As noted in the introduction to this motion, this is an emergency matter because the mathematical errors at issue relate to ComEd's compliance filing due on April 11, 2002. The interests of all parties to this Docket and of residential customers eligible to take delivery services beginning May 1, 2002, would best be served if those mathematical errors are corrected on an expedited basis, which will facilitate ComEd's timely preparation of a compliance filing that accurately reflects the intentions of the Commission.

WHEREFORE, Commonwealth Edison Company respectfully requests that this motion be granted and that the Illinois Commerce Commission issue on an expedited basis an Amended Order correcting the mathematical errors in the Interim Order and Appendix A thereto issued on April 1, 2002, shown in this motion and in Corrected Appendix A.

Dated: April 5, 2002

Respectfully submitted,

Commonwealth Edison Company

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VERIFICATION

Paul F. Hanzlik, being first duly sworn, upon oath, deposes and says that he is one of the attorneys for Commonwealth Edison Company, that he has read the above and foregoing Commonwealth Edison Company's Emergency Motion to Correct Mathematical Errors in the Interim Order and Appendix A Thereto, that he knows the contents thereof, and the same are true to the best of his knowledge and belief.

Paul F. Hanzlik

Subscribed and sworn to
before me this 5th day
of April, 2002.

Notary Public: _____

PROOF OF SERVICE

I, Paul F. Hanzlik, one of the attorneys for Commonwealth Edison Company, do hereby certify that a copy of the foregoing Commonwealth Edison Company's Emergency Motion to Correct Mathematical Errors in the Interim Order and Appendix A Thereto was served upon the Administrative Law Judges and on all parties on the attached Service List by electronic mail and by deposit in the United States mail, first class postage prepaid, at Three First National Plaza, 70 West Madison Street, Chicago, Illinois 60602, on April 5, 2002.

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